IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE FOURTH DAY OF NOVEMBER,
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MS JUSTICE G.ROHINI

WRIT PETITION NO : 17612 of 2004

Between:

1. S. Anjaneya Raju S/o. Venkateswara Raju
   Huzurnagar, Nalgonda District, Licencee of M/s. Sri Lakshmi Wines.
2. Nagulapalli Nageswara Rao, S/o. Venkateswara Rao
   Kodad, Nalgonda District, Licencee of M/s. Sai Wines.
3. Koyalakonda Venu S/o. Rajamallaiah
   Kodad, Nalgonda District, Licencee of M/s. Mayuri Wines.

..... PETITIONERS

AND

1. The Prohibition and Excise Superintendent, Nalgonda.
2. The Commissioner of Prohibition and Excise, A.P., Hyderabad.
3. Government of A.P., rep. by its Secretary, Excise
Department, Secretariat, Hyderabad.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue writ, order or direction more particularly one in the nature of Writ of Mandamus, declaring the instructions of the Commissioner and Proh. and Excise, Govt of A.P., Hyderabad in Cr.No.1504/2004/CPE/G2 Dt. 8.9.2004 as contrary to rule-25 of the A.P. Indian Liquor and Foreign Liquor rules, 1970 and set aside the same as illegal, contrary to law and further direct the respondents to renew the licence of the petitioner by accepting 1/3rd of the licence fee by way of cash challan and 2/3rd of the licence fee by way of Bank Guarantee as per rule-25 of the A.P. Indian Liquor and Foreign Liquor rules, 1970.

Counsel for the Petitioner:MR.PALLENAGESWAR RAO

Counsel for the Respondent Nos.1 to 3: GP FOR PROHIBITION & EXCISE

The Court made the following :

ORDER:

Learned Government Pleader for Prohibition and Excise, under instructions, states that the petitioner has already paid the licence fees as required under Rule 25 of the Andhra Pradesh Indian Liquor and Foreign Liquor Rules, 1970. Hence nothing survives for adjudication in this writ petition.

Accordingly the writ petition is dismissed as infructuous. No costs.

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04-11-2004

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To

1. The Prohibition and Excise Superintendent, Nalgonda.
2. The Commissioner of Prohibition and Excise, A.P., Hyderabad.
3. The Secretary, Government of A.P., Excise

Department, Secretariat, Hyderabad.